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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/508,870	10/04/2000	Yuraki Furuhashi	16869P-00610	4059

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Robert C Colwell
Townsend & Townsend & Crew
8th Floor
Two Embarcadero Center
San Francisco, CA 94111-3834

EXAMINER

BUI, KIM T

ART UNIT

PAPER NUMBER

3626

DATE MAILED: 07/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/508,870

Applicant(s)

FURUHATA ET AL.

Examiner

Kim T. Bui

Art Unit

3626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/14/03.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 14 April 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 10.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the amendment filed 4/14/2003. Claims 1-5 have been amended. Claims 6-7 are newly added.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garback (5237499), for substantially the same reasons given in the previous Office Action (paper no. 6). Further reasons appear below.

(A) Claim 1 has been amended to basically include the recitation of " code for comparing....." and " a computer code for determining whether or not a user of one of the terminals has indicated that the user wishes to adjust the undusted expense information". As per these limitations, Garback teaches the step and means for comparing as discussed in the previous Office Action (paper no. 6). It is noted that the comparison is performed using a programmed CPU (See Garback, col.5, lines 42-43); as such, it is respectfully submitted that it is readily apparent that Garback's computer contains computer code operable to carry out the performed functions (i.e., searching, comparing, etc.). Regarding the " code for detecting whether or not a whether or not a user of one of the terminals has indicated that the user wishes to adjust the unadjusted

Art Unit: 3626

expense information". Garback teaches a booking code indicating whether or not travel expense adjustment has been performed (Garback, col. 6, line 61 to col. 7, line 8).

Garback, however, presumes that the user always wishes to adjust the fare to a lower rate whenever possible, and therefore fails to teach a specialized code for detecting whether or not the user has indicated that the user wishes to adjust. However it would have been obvious to include a separate code in Garback with the motivation of providing and tracking user confirmation of intent to adjust expenses regarding his travel request (See Garback, col. 6, lines 6-7).

(B) As per claim 2, the personal identification information 20 and the business data are included in the travel expense adjustment information; the schedule information includes personal identification information and information indicating of a date of business trip as discussed in the previous Office Action (paper no. 6), incorporated herein (see paper no. 6 and Garback, col. 3, lines 10-30).

(C) As per claim 4, the claim has been amended to include "displaying means for displaying a query to a user as to whether or not the non-adjusted information is to be adjusted ". Garback teaches on col. 6, line 61 to col. 7, line 8, steps for displaying of the search for a lower applicable fare as to whether or not the negotiated fare is to be adjusted depending on whether or not a published fare is located. (Garback, col. 6, lines 63-64, col. 7, lines 2-3); Garback also teaches a display means at the user terminal for the user to interactively interrogate the system (Garback, col. 5, lines 1-3). Garback fails to expressly disclose the type of information to be displayed at a user terminal includes "a query to a user as to whether or not the negotiated fare is to be adjusted". It would

Art Unit: 3626

have been obvious to one having ordinary skill in the art at the time of the invention to display as to whether or not the negotiated fare is to be adjusted depending on whether or not a published fare is located at the user terminal with the motivation of providing tracking tool to the user for the purpose of confirmation of the user's intentions with regard to travel expense adjustment. (Garback, col. 5, lines 1-3, col. 6, lines 7-8).

(D) As per claim 5, the claim is rejected based on the same reasons given in the last Office Action (paper no. 6) which is incorporated herein.

(E) As per newly added claim 6, Garback teaches scheduling management system comprising:

- (a) an input terminal serves as a schedule inputting terminal having an inputting means and storing means for inputting and temporarily storing scheduling information identifying meeting, person, place and time (Garback, col. 4, lines 63-67, col. 5, lines 1-18, col. 5, line 63 to col. 6, line 1, Figs 3, 4), and external storage apparatus (12) for storing schedule information inputted from the inputting means of the schedule inputting terminal (Garback, col. 4, line 63-67 and col.3, lines 10-15);
- (b) a local area network coupling user terminal with the external storage apparatus (Garback, col. 4, lines 18-21);
- (c) a programmed computer for storing the scheduling information inputted from input terminal into storage apparatus (Garback, col. 3, lines 10-15, col. 4, lines 1-15, lines 63-67), for retrieving the schedule information including unadjusted negotiated fare from the storage apparatus for adjustment (Garback, col. 6, lines 19-26, col. 5, lines 40-55), for displaying a search of an applicable fare as to whether or not a negotiated fare

is to be adjusted, depending on whether or not a published fare is located (Garback, col. 6, lines 63-67, col. 7, lines 2-3).

Garback 's system is a programmed computer (Garback, col. col. 5, lines 41-43), and as such, it is respectfully submitted that it is readily apparent that Garback's computer contains software computer code operable for carrying out the performed functions (i.e storing, retrieving, displaying, etc..). Garback also teaches a display at the terminal for user to interrogate the system (Garback, col. 5, lines 1-3).). Garback fails to expressly disclose the type of information to be displayed at a user terminal includes "a query to a user as to whether or not the negotiated fare is to be adjusted". It would have been obvious to one having ordinary skill in the art at the time of the invention to display as to whether or not the negotiated fare is to be adjusted depending on whether or not a published fare is located at the user terminal with the motivation of providing tracking tool to the user for the purpose of confirmation of the user's intentions with regard to travel expense adjustment. (Garback, col. 5, lines 1-3, col. 6, lines 7-8).

As per the recitation of a plurality of input terminals, the courts have upheld that it is obvious to duplicate parts for multiple effects. In re Harza, 124 USPQ 378,380;274F.2d669 (CCPA 1960).

(F) As per newly added claim 7, Garback teaches the adjustment of fare by the system (Garback, col. 5, lines 40-60, col. 6, line 61 to col. 7, line 8) independent from the user . Furthermore, the system is programmed (Garback, col. 5, lines 41-43), it is readily apparent that software computer code operable to carry out the performed function (i.e., adjusting) is within Garback's CPU.

Art Unit: 3626

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Garback (5237499) as applied to claim 1 above, and further in view of Whitesage (5191523).

(A) Claim 3 is rejected for substantially the same reasons given in the last Office Action (paper no. 6) which is incorporated herein, and the rejection of amended claim 1 above. It is noted that Garback teaches a programmed computer (Garback, col. 5, lines 41-43), and as such, it is readily apparent that Garback's CPU contains software computer codes operable to carry out the performed function (i.e., searching) .

Response to Arguments

5. Applicant's arguments filed 4/14/03 have been fully considered but they are not persuasive. Applicant 's arguments will be addressed herein below:

(A) On page 6 of the response, applicant argues that "schedule information relates to information relating to a general schedule and is not limited to travel reservation". In response, it is submitted that travel reservation system generally includes scheduling information indicating location, date and time information of travel. In so far as Applicant fails to recite any specific definition of the term "schedule information" that precludes travel reservation information, it is respectfully submitted that travel reservation information is a form of schedule information. Further, claims 1-5 clearly recite the processing of "travel" information such as travel expense adjustment.

(B) Applicant further argues that the newly added features "code for detecting whether the user has indicated that the user wishes to adjust the unadjusted travel expense information" and "display means for displaying a query to user as to whether or not the non-adjusted information is to be adjusted". These

Art Unit: 3626

features are obvious in view of the programmed computer and display means disclosed in Garback as fully addressed by the Examiner in the present Office Action, and incorporated herein. All remaining arguments merely rehash the issues addressed above, and are likewise non-persuasive for the same reasons given above.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. "Service desk for registration, booking or the like" (5412191); "Fight bidding system" (4845625); "System for awarding credits to persons who book travel-related reservations" (5483444); " System for making travel reservations" (5422809); " Technically speaking", Sturken, Barbara, Feb 13, 1992, Travel Weekly, v51, n13, pS27(2), Dialog File 148, Acc. 05785006.

7 **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim T. Bui whose telephone number is 703-305-5874. The examiner can normally be reached on Monday-Friday from 8:30A.M. to 5:00P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 703-305-9588. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

KTB
KTB

June 27, 2003


JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600